

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

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|----------------------|---|----------------------------|
| JULIO CESAR CARDENAS | § | |
| VS. | § | CIVIL ACTION NO. 1:20cv326 |
| WARDEN USP BEAUMONT | § | |

ORDER PARTIALLY ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

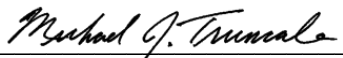
Petitioner Julio Cesar Cardenas, proceeding *pro se*, filed the above-styled petition for writ of habeas corpus. The court previously referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending a dismissal of the petition without prejudice.

Petitioner did not file objections to the Report and Recommendation. However, he did file a motion asking to voluntarily dismiss his petition. Pursuant to Federal Rule of Civil Procedure 41(a), petitioner is entitled to voluntarily dismiss his petition prior to the service of any adverse party.

ORDER

Accordingly, petitioner's motion for voluntary dismissal (doc. no. 11) is **GRANTED**. The Report of the Magistrate Judge (doc. no. 9) is **PARTIALLY ADOPTED** to the extent it recommends dismissal of this lawsuit. An appropriate final judgment shall be entered.

SIGNED this 18th day of March, 2021.



Michael J. Truncala
United States District Judge